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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,241	04/01/2004	Jeffery W. Janzen	MICS:0105 (03-0346)	9203

7590 11/10/2005

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EXAMINER
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LUU, MINER PHO

ART UNIT	PAPER NUMBER
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2824

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EK

**Office Action Summary**

Application No.

10/816,241

Applicant(s)

JANZEN ET AL.

Examiner

Pho M. Luu

Art Unit

2824

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) 14-27 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-13 and 28-30 is/are allowed.
- 6) ☒ Claim(s) 1 and 5 is/are rejected.
- 7) ☒ Claim(s) 2-4, 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/01/04</u> . | 6) <input checked="" type="checkbox"/> Other: <u>Search History</u> .                   |

## **DETAILED ACTION**

### ***Reply to Election/Restrictions***

1. Applicant's election without traverse of Group I, Claims 1-13 and 28-30 filed 29 August 2005 is acknowledged. The changes and remarks disclosed therein were considered.
2. Claims 14-27 have been canceled.
3. Claims 1-13 and 28-30 are pending in the application.

### ***Information Disclosure Statement***

4. Acknowledgment is made of applicant's Information Disclosure Statement (IDS) Form PTO-1449, filed 01 April 2004. The information disclosed therein was considered.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Raszka et al. (US. 6,850,446).

Regarding claims 1 and 5, Raszka et al disclosed a method of manufacturing a memory module (100, Fig. 1) comprising:

reading (inherent) an operating current value (any memory cells generate voltage/current when being read) from a database (for example, memory cells store file data) wherein the operating current value corresponds to a volatile memory device (volatile 204);

storing the operating current value (nonvolatile 202 which is the data stored is transferred to the volatile 204, see column 5, lines 58-61) in a nonvolatile memory device (102) and

forming a memory module (100) comprising each of the volatile memory device (104) and the nonvolatile memory device (102).

wherein reading (inherence) comprises reading the operating current (any memory cells generate voltage/current when being read) value corresponds to a dynamic random access memory device (volatile 104).

### ***Allowable Subject Matter***

7. Claims 2-4 and 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record do not disclose or suggest at least the further limitation as recited in claim 2-4, and 6-7. In particular, the reading operating current accessing

the database is stored by a chip identification, the reading operating current accessing the database via the internet, the reading operating current accessing the database is stored on a compact disk, the storing operation current in a serial with detect device and dual line memory module.

8. Claims 8-13 and 28-30 are allowance:

The following is an examiner's statement of reasons for allowance:

There is no teaching or suggestion in the prior art to: "reading operating current values from a database wherein the operating current values uniquely correspond to the chip identification number" as claimed in the independent claim 8; or

"setting a memory access speed in the system in accordance with the operating current value of a method" as claimed in the independent claim 28.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

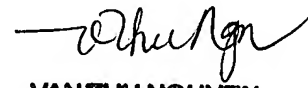
Arakawa (US. 5,189,641) disclosed a semiconductor memory device including a nonvolatile associated with volatile memory.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Pho M. Luu whose telephone number is 571.272.1876. The examiner can normally be reached on M-F 8:00AM – 5:00PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Richard Elms, can be reached on 571.272.1869. The official fax number for the organization where this application or proceeding is assigned is 703.872.9306 for all official communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PML  
06 November 2005

  
**VAN THU NGUYEN**  
**PRIMARY EXAMINER**